

REMARKS

This amendment includes an attachment entitled "VERSION WITH MARKINGS TO SHOW CHANGES MADE".

Please reconsider the rejections made in view of the following remarks.

The Examiner has rejected claims 10-12 under 35 USC 112, second paragraph, as being indefinite because the claims recite the phrase "wherein said osmolyte" without a sufficient antecedent basis for this limitation in the claims." Applicants have amended claim 9, the independent claim from which claims 10-12 depend, by replacing the term "tonicity" with the term "osmolyte". Applicants have used the foregoing terms interchangeable in the specification. The Examiner's attention is respectfully directed to the last full paragraph on page 6 of the specification as support for this amendment.

The Examiner has rejected claims 1-19 under 35 USC 103(a) as being unpatentable over Riedhammer et al (US 4,820,352). Riedhammer teaches cleaning and conditioning contact lenses with compositions containing Tetronic surfactants; however, Riedhammer's compositions have an osmolality less than 300 mOsm./kg and the Riedhammer compositions require a "digital rubbing" step to obtain cleaning.

As set forth in the SUMMARY OF THE INVENTION, Applicants have invented a no-rub cleaning and disinfecting solution which has an effective amount of an osmolyte that increases osmolality of the total solution without adversely affecting the antimicrobial efficacy of the cleaning and disinfection solution. To demonstrate the effect of increasing osmolality on the cleaning and disinfecting efficacy of the solution, applicants conducted a number of experiments which are reported in the Examples. Example 1 was created as a control and a comparison of that Example to Examples 2 to 4 is found in the table entitled "In-vitro Protein Deposition Profiles" on page 11 of the specification. The foregoing Examples clearly show that cleaning is enhanced with increased osmolality. The Examiner's attention is respectfully directed to the table found

on page 6 of the specification which discloses useful, preferred and most preferred ranges for tonicity adjusting agents. The more preferred range for sodium chloride is 1.1 to 1.5, which corresponds to an osmolality range of 330 to 450. A useful sodium chloride concentration of 2.5 corresponds to an osmolality of 750. Examples 9 to 11 demonstrate no loss in efficacy with the claimed high osmolyte solutions.

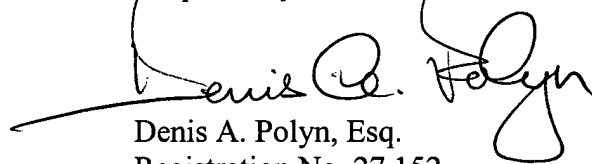
There is nothing in Riedhammer that discloses or suggests that you can obtain enhanced cleaning by increasing osmolality. Applicants have discovered, contrary to the teaching of Riedhammer, that the "digital rubbing" step of the prior art can be completely eliminated by increasing osmolality and, at the same time, accomplish this result with no significant loss in disinfection efficacy.

Reconsideration and withdrawal of all grounds of rejection is respectfully requested.

Applicants are submitting herewith, as requested by the Examiner, a duplicate copy of the information disclosure citation with form PTO 1449.

If there are any other matters that require resolution, the Examiner is requested to telephone Applicants' attorney. Notice of Allowance is hereby requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Denis A. Polyn", is written over a horizontal line.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claim 9 has been amended as follows:

9. (amended) An aqueous solution for effectively cleaning contact lenses without rubbing comprising:
- (a) from about 0.01 to about 15 weight percent of a poly(oxypropylene)-poly(oxyethylene) adduct of ethylene diamine having a molecular weight from about 7500 to about 27,000 wherein at least 40 weight percent of said adduct is poly(oxyethylene);
 - (b) an effective amount of at least one antimicrobial; and;
 - (c) at least one ~~tonicity~~ osmolyte adjusting agent in concentration sufficient to enhance the cleaning properties of the solution without adversely affecting its antimicrobial efficacy.